

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

**In re: Valsartan Products Liability
Litigation**

MDL No. 2875

This document relates to:

Case No: -CV-

Plaintiff 1:

Honorable Robert B. Kugler,
District Court Judge

Plaintiff 2:

Honorable Joel Schneider,
Magistrate Judge

Plaintiff 3:

Plaintiff 4:

SHORT FORM COMPLAINT

Plaintiff(s) file(s) this *Short Form Complaint and Demand for Jury Trial* against Defendants named below by and through the undersigned counsel. Plaintiff(s) incorporate(s) by reference the allegations contained in *Plaintiffs' Master Long Form Complaint and Jury Demand in In re: Valsartan Products Liability Litigation*, MDL 2875 in the United States District Court for the District of New Jersey, Camden Vicinage. Plaintiff(s) file this Short Form Complaint as permitted by Case Management Order Nos. 3, 9, and 13 of this Court.

In addition to those causes of action contained in *Plaintiffs' Master Long Form Complaint and Jury Demand*, where certain claims require specific pleadings and/or amendments, Plaintiff(s) shall add and include them herein.

IDENTIFICATION OF PARTIES

I. IDENTIFICATION OF PLAINTIFF(S)

1. Name of individual who alleges injury due to use of a valsartan-containing drug:

Plaintiff 1:

Plaintiff 2:

Plaintiff 3:

Plaintiff 4:

2. This claim is being brought on behalf of

Myself

Someone else

a. If I checked, "someone else", this claim is being brought on behalf of:

b. My relationship to the person in 2(a) is:

3. **Consortium Claim(s):** The following individual(s) allege damages for loss of consortium:

4. **County and state of residence of Plaintiff or place of death of Decedent:**

County: _____

State: _____

5. **If a survival and/or wrongful death claim is asserted:**

a. Name of the individual(s) bringing the claims on behalf of the decedent's estate, and status (i.e., personal representative, administrator, next of kin, successor in interest, etc.):

Name of the Individual(s)	Status

II. IDENTIFICATION OF DEFENDANTS

6. Plaintiff(s) bring claims against the following Defendants:

(*Defendants with asterisks next to their names have been dismissed pursuant to a dismissal and tolling stipulation entered by the Parties. By checking the box next to any asterisked Defendant(s), Plaintiff thereby represents that he or she would have brought an action against said Defendant(s) but for the dismissal and tolling stipulation.)

i. API Manufacturers

	Defendant Role	Defendant Name	HQ States
	API Manufacturer	Aurobindo Pharma, Ltd.	Foreign
	API Manufacturer Parent Corporation	Hetero Drugs, Ltd.	Foreign
	API Manufacturer	Hetero Labs, Ltd.	Foreign
	API Manufacturer	Mylan Laboratories Ltd.	Foreign
	API Manufacturer Parent Corporation	Mylan N.V.	Foreign
	API Manufacturer	Zhejiang Huahai Pharmaceutical Co., Ltd.	Foreign
	API Manufacturer	John Doe	N/A

ii. Finished Dose Manufacturers

	Defendant Role	Defendant Name	HQ States
	Finished Dose Manufacturer	Arrow Pharm (Malta) Ltd.	Foreign
	Finished Dose Manufacturer	Aurolife Pharma, LLC	NJ
	Finished Dose Manufacturer	Hetero Labs, Ltd.	Foreign
	Finished Dose Manufacturer	Mylan Pharmaceuticals Inc.	WV
	Finished Dose Manufacturer	Teva Pharmaceutical Industries, Ltd.	Foreign
	Finished Dose Manufacturer	Torrent Pharmaceuticals, Ltd.	Foreign
	Finished Dose Manufacturer	Zhejiang Huahai Pharmaceutical Co., Ltd.	Foreign
	Finished Dose Manufacturer	John Doe	N/A

iii. Repackagers, Labelers, and Distributors

	Defendant Role	Defendant Name	HQ States
	Labeler/ Distributor	Aceteris, LLC	NJ
	Finished Dose Distributor	Actavis, LLC	NJ
	Finished Dose Distributor	Actavis Pharma, Inc.	NJ
	Rerepackager	A-S Medication Solutions, LLC	NE
	Finished Product Distributor	Aurobindo Pharma USA, Inc.	NJ
	Rerepackager	AvKARE, Inc.	TN
	Rerepackager	Bryant Ranch Repack, Inc.	PA
	Labeler/Distributor	Camber Pharmaceuticals, Inc.	NJ
	Parent Company for The Harvard Drug Group, L.L.C. d/b/a Major Pharmaceuticals	Cardinal Health, Inc.	OH
	Rerepackager	The Harvard Drug Group, LLC d/b/a Major Pharmaceuticals	MI
	Rerepackager	H J Harkins Co., Inc.	CA
	API Distributor	Huahai U.S. Inc.	NJ
	Rerepackager	Northwind Pharmaceuticals	IN
	Rerepackager	NuCare Pharmaceuticals, Inc.	CA
	Rerepackager	Preferred Pharmaceuticals, Inc.	CA
	Rerepackager	RemedyRepack, Inc.	PA
	Finished Dose Distributor	Solco Healthcare U.S., LLC	NJ
	Finished Dose Distributor	Teva Pharmaceuticals USA, Inc.	PA
	Finished Dose Distributor	Torrent Pharma, Inc.	NJ
	Labeler/Distributor/Rerepackager	John Doe	N/A

iv. Wholesaler Defendants

	Defendant Role	Defendant Name	HQ States
	Wholesaler	AmerisourceBergen Corporation	PA
	Wholesaler	Cardinal Health, Inc.	OH
	Wholesaler	McKesson Corporation	TX
	Wholesaler	John Doe	N/A

v. Pharmacies

	Defendant Role	Defendant Name	HQ States
	Pharmacy	Albertsons Companies, LLC	ID
	Parent Corporation for Express Scripts, Inc. and Express Scripts Holding Co.	Cigna Corporation	CT
	Pharmacy	CVS Health	RI
	Parent Corporation for Express Scripts, Inc.	Express Scripts Holding Company	MO
	Pharmacy	Express Scripts, Inc.	MO
	Parent Corporation for Humana Pharmacy, Inc.	Humana, Inc.	KY
	Pharmacy	Humana Pharmacy, Inc.	KY
	Pharmacy	The Kroger Co.	OH
	Pharmacy	OptumRx	CA
	Parent Corporation for OptumRx	Optum, Inc.	MN
	Pharmacy	Rite Aid Corp.	PA
	Parent Corporation for OptumRx and Optum, Inc.	UnitedHealth Group	MN
	Pharmacy	Walgreens Boots Alliance	IL
	Pharmacy	Wal-Mart, Inc.	AR
	Pharmacy	John Doe	N/A

vi. FDA Liaisons

	Defendant Role	Defendant Name	HQ States
	FDA Liaison	Hetero USA, Inc.	NJ
	FDA Liaison	Prinston Pharmaceutical Inc.	NJ
	FDA Liaison	John Doe	N/A

III. JURISDICTION AND VENUE**7. Jurisdiction is based on:****Diversity of Citizenship****Other as set forth below:**

8. Venue: District and Division in which remand and trial is proper and where you might have otherwise filed this Short Form Complaint, absent the Direct Filing

Order entered by this Court: _____ District of _____

IV. PLAINTIFF'S INJURIES**9. Injuries: Plaintiff was diagnosed with the following type of cancer:**

	Liver		Kidney
	Stomach		Colorectal
	Pancreatic		Esophageal
	Small Intestine		Other:

CAUSES OF ACTION

10. Plaintiff(s) hereby adopt(s) and incorporate(s) by reference the *Master Long Form Complaint and Jury Demand* as if fully set forth herein.
11. The following claims and allegations asserted in the *Master Long Form Complaint and Jury Demand* are herein adopted by Plaintiff(s):

Count I: Strict Liability – Manufacturing Defect
Count II: Strict Liability – Failure to Warn
Count III: Strict Liability – Design Defect
Count IV: Negligence
Count V: Negligence Per Se
Count VI: Breach of Express Warranty
Count VII: Breach of Implied Warranty
Count VIII: Fraud
Count IX: Negligent Misrepresentation
Count X: Breach of Consumer Protection Statutes of the state(s) of:

Count XI: Wrongful Death
Count XII: Survival Action
Count XIII: Loss of Consortium
Count XIV: Punitive Damages

Other State Law Causes of Action as Follows:

12. **Fraud Count:** Plaintiff adopts, incorporates and relies upon the allegations made in the Master Complaint. Any additional Plaintiff-specific allegations as to the Fraud Count must be set forth here:

13. **Express Warranty Count:** Plaintiff adopts, incorporates, and relies upon the allegations made in the Master Complaint. Any additional Plaintiff-specific allegations as to the Express Warranty Count must be set forth here:

14. Plaintiff(s) further bring claims against the following additional Defendants who are not listed above, and such claims are based upon the following grounds:

Defendant	Grounds

Defendant	Grounds

WHEREFORE, Plaintiff(s) pray(s) for relief and demand(s) a trial by jury as set forth in the Plaintiffs' Master Long Form Complaint in MDL 2875 in the United States District Court for the District of New Jersey.

Date

/s/

Attorney Name

Attorney Firm

Attorney Address Line 1

Attorney Address Line 2

Telephone

Fax

Email

Counsel for Plaintiffs